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| <b>TRANSMITTAL FORM</b><br><br>(to be used for all correspondence after initial filing) | Application Number     | 10/716,095        |
|   | Filing Date            | November 18, 2003 |
|   | First Named Inventor   | Kacmarek          |
|   | Art Unit               |                   |
|   | Examiner Name          |                   |
| Total Number of Pages in This Submission  | Attorney Docket Number | 21489             |

| ENCLOSURES (Check all that apply)  |   |  |
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| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | Form 1449, References   |  |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |                   |
|--|-------------------|
| Firm or Individual                         | Eileen M. Ebel    |
| Signature                                  |                   |
| Date                                       | February 20, 2004 |

| CERTIFICATE OF TRANSMISSION/MAILING  |                |      |                   |
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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application

Inventor(s) A. Kacmarek, E. Kopetzki, C. Schantz, S. Seeber Group:

Serial No. 10/716,095, filed November 18, 2003

Examiner:

For: METHODS FOR THE RECOMBINANT PRODUCTION OF ANTIFUSOGENIC  
PEPTIDE

**INFORMATION DISCLOSURE STATEMENT**

Nutley, New Jersey 07110  
February 20, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, applicants respectfully direct the Examiner's attention to the documents listed on enclosed Form PTO-1449.

A Partial European Search Report from corresponding European application 02025618.6 which is dated September 10, 2003, is enclosed. Documents from the Search Report are cited herein as documents B1, B2, and C25.

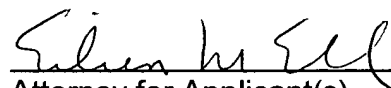
Documents A1 – A8 listed on Form PTO-1449 are not enclosed because they are US Patents. Documents B1 – B7 and C1 – C34 are enclosed.

Serial No. 10/716,095  
Filed: November 18, 2003

Consideration of all the documents cited on Form PTO-1449 is requested.

Since the Information Disclosure Statement is submitted before receipt of the first Office Action on the merits or within three months of the filing date for the above application, no fee is due. If a fee is owing, please charge our deposit account 08-2525.

Respectfully submitted,



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138487



Substitute for form 1449A/PTO

# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Use several sheets if necessary)

## **Complete if Known**

|                        |                   |
|------------------------|-------------------|
| Application Number     | 10/716,095        |
| Filing Date            | November 18, 2003 |
| First Name Inventor    | Kacmarek          |
| Group Art Unit         |                   |
| Examiner Name          |                   |
| Attorney Docket Number | 21489             |

Sheet 1 of 1

## **U.S. PATENT DOCUMENTS**

| Examiner<br>Initials <sup>1</sup> | Cite<br>No. <sup>1</sup> | U.S. Patent Document |                                      | Name of Patentee or Applicant of<br>Cited Document | Date of Publication of<br>Cited document<br>MM-DD-YYYY |
|-----------------------------------|--------------------------|----------------------|--------------------------------------|--|--|
|                                   |                          | Number               | Kind Code <sup>2</sup><br>(if known) |  |  |
|                                   | A1                       | 5,464,933            |                                      | Bolognesi, et al.                                  | 11-07-1995   |
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## **FOREIGN PATENT DOCUMENTS**

| Examiner<br>Initials <sup>1</sup> | Cite<br>No. <sup>1</sup> | Foreign Patent Document |                     |                                      | Name of Patentee or<br>Applicant of Cited Document | Date of Publication of<br>Cited Document<br>MM-DD-YYYY | T <sup>6</sup> |
|-----------------------------------|--------------------------|-------------------------|---------------------|--------------------------------------|--|--|----------------|
|                                   |                          | Office <sup>3</sup>     | Number <sup>4</sup> | Kind Code <sup>5</sup><br>(if known) |  |  |                |
|                                   | B1                       | WO                      | 00/69902            |                                      | Conjuchem Inc.                                     | 11-23-2000   |                |
|                                   | B2                       | WO                      | 01/44286            |                                      | Whitehead Institute<br>for Biomedical<br>Research  | 06-21-2001   |                |
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|                                   | B9                       | EP                      | 424 990             |                                      | Amgen Inc.   | 05/02/1991   |                |
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| Examiner<br>Signature             |                          | Date Considered         |                     |                                      |  |  |                |

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<sup>2</sup>Unique citation designation number. <sup>3</sup>See attached Kinds of U.S. Patent Documents. <sup>4</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>5</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>6</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>7</sup>Applicant is to place a check mark here if English language Translation or abstract is attached.



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| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>(Use several sheets if necessary) |   |    |   | Application Number       | 10/716,095        |
|   |   |    |   | Filing Date              | November 18, 2003 |
|   |   |    |   | First Name Inventor      | Kacmarek          |
|   |   |    |   | Group Art Unit           |                   |
|   |   |    |   | Examiner Name            |                   |
| Sheet   | 2 | Of | 3 | Attorney Docket Number   | 21489             |

#### NON PATENT LITERATURE DOCUMENTS

| Examiner Initials <sup>1</sup> | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item/(book, magazine, journal, serial, symposium catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | T <sup>2</sup> |
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| Examiner<br>Signature |     |  | DATE<br>CONSIDERED |

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